

ZB# 78-15

Richard Sarnowski

62-6-2,3,4,5

Sarnowski, Richard - Use variance

78-15

Public Hearing

June 26, 1978

8 p.m.

ACPD to be
notified

GENERAL RECEIPT

3714

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

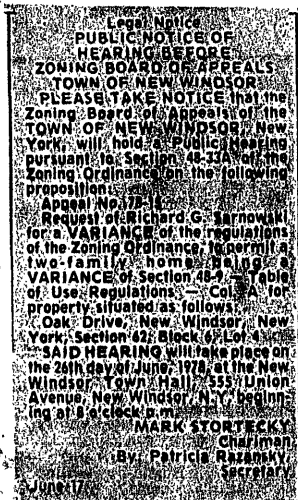
RECEIVED OF Richard S. Saporowski June 27 19 78
Twenty-five and 00/100 \$ 25.00
FOR Variance Application Fee # 78-15 DOLLARS

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>25.00</u>		
<u>Check</u>		

BY

Charlotte Marcantonio
Deputy
TITLE



**State of New York
County of Orange, ss:**

Olga Trachewsky , being duly sworn deposes and
says that he isPrincipal Clerk..... of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News.
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published
One Time
.....
in said newspaper, commencing on the.....17th...day of
June.....A.D., 1978 , and ending on
the17th..... day ofJune..... A.D., 1978

Subscribed and sworn to before me this
.....20th..... day of June 1978.....

.....Robert M. McClintock.....
Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1980



COUNTY OF ORANGE

JUL 12 1978
Department of Planning

124 MAIN STREET (1887 Building)

GOSHEN, NEW YORK 10924

TEL. (914) 294-5151

Peter Garrison, A.I.P., Commissioner

Edwin J. Garling, A.I.P., Deputy Commissioner

July 10, 1978

Mr. Marc Stortecky, Chairman
Town of New Windsor
Zoning Board of Appeals
Town Hall
555 Union Avenue
New Windsor, New York 12550

Re: Variance - Sarnowski
Oak Drive

Dear Mr. Stortecky:

This office, pursuant to the provisions of Section 239, 1 and m, Article 12-B of the General Municipal Law of the State of New York, has reviewed the above subject variance.

We hereby return the matter for final local determination by your Board.

Very truly yours,

Peter Garrison
Commissioner of Planning

PG/dc

ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

78-15
(Number)

May 17, 1978
(Date)

I. Applicant information:

- (a) Richard G. Sarnowski, Oak Drive, New Windsor, New York
(Name, address and phone of Applicant)
Business phone: 561-8500 (Ext. 228)
- (b) N/A
(Name, address and phone of purchaser or lessee)
- (c) Rider, Weiner & Loeb, P.C. 427 Little Britain Rd., Newburgh, N.Y.
(Name, address and phone of attorney) Tel: 562-8700
- (d) N/A
(Name, address and phone of broker)

II. Application type:

- ☒ Use variance
- ☐ Area variance
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) R-4 Oak Dr., New Windsor, N.Y. 62-6-2, 3, 4, 5 12,675 sq. ft.
(Zone) (Address) (H B L) (Lot size)
- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Dec. 1975
- (e) Has property been subdivided previously? Yes When? 1935
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? Yes If so, when March 28, 1978
- (h) Is there any outside storage at the property now or is any proposed?
Describe in detail _____

78-15
(Number)

May 17, 1978
(Date)

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(Name, address and phone of Applicant)
Business phone: 561-8500 (Ext. 228)
- (b) N/A
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- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Dec. 1975
- (e) Has property been subdivided previously? Yes When? 1935
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-repair violation been issued against the property by the Zoning Inspector? Yes . If so, when March 28, 1978
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. N/A

☒ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48.8, Table Use Regs, Column A, to allow

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

The subject's house is committed to use as a two-family home both in design and construction. The Town of New Windsor taxes the premises as a two-family home; attached to this application is affixed copies of the tax bills showing that the property is carried on the tax rolls as a two-family home. The property is only economical to use as a two-family home and should the variance not be granted the applicant would be deprived of his right to secure a reasonable return from the premises.

☐ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

* Residential districts only

** Non-residential districts only

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

The subject's house is committed to use as a two-family home both in design and construction. The Town of New Windsor taxes the premises as a two-family home; attached to this application is affixed copies of the tax bills showing that the property is carried on the tax rolls as a two-family home. The property is only economical to use as a two-family home and should the variance not be granted the applicant would be deprived of his right to secure a reasonable return from the premises.



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* <u>3</u>	<u>3</u>	<u>3</u>
Floor Area Ratio** _____	_____	_____

* Residential districts only

** Non-residential districts only

- (b) The legal standard for an "ABEA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.



VI.

Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

☒ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The applicant is in the process of securing additional property immediately adjoining his present property and has secured a tax deed to that property. Attached to this application is a copy of the tax deed issued by Hon. Raymond C. Schwarz, Commissioner of Finance of the County of Orange. ~~By combining the two properties the applicant will have a total acreage of approximately 32,175 sq. ft. For each single-family home in the R-4 district, only 15,000 sq. ft. is required and applicant therefore has sufficient land on which more than one single-family home could be erected. Applicant proposes to devote his entire tract of 32,175 sq. ft. to the use of the two-family home sought herein and agrees to place such restrictions as may be required to insure the fact that no additional dwellings will be placed upon the property. The present structure is unique in that it was designed for a two-family building and that unless it can be maintained as such the applicant will not be able to enjoy a reasonable return from the property. (See Addendum No. 1 for additional comments.)~~

☐ IX. Attachments required:

- ___ Copy of letter of referral from Building and Zoning Inspector.
- ___ Copy of contract of sale, lease or franchise agreement.
- ___ Copy of tax map showing adjacent properties
- ___ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ___ Copy(ies) of sign(s) with dimensions.
- ___ Check in amount of \$_____ payable to Town of New Windsor.

- (b) Describe in detail the use and structures proposed for the special permit.

☒ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

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- ___ Copy(ies) of sign(s) with dimensions.
- ___ Check in amount of \$_____ payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
- All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- ___ Other

ADDENDUM NO. 1

VIII. Additional Comments (cont'd)

The granting of this relief to the applicant will not alter the essential character of the neighborhood which is fixed at residential. At present there are two-family homes in the Beaver Dam Lake Area so it can be seen that the use proposed to be made by the applicant is not unknown in Beaver Dam Lake. The applicant does not seek a use which is prohibited; applicant is merely seeking to maintain an intensified use by permitting two families in the same structure instead of spreading out on land which is presently available to applicant and building two single-family homes. Applicant's proposal will provide more open and green area by virtue of the fact that applicant's property will not be built upon any further than at present and that the balance of the applicant's property will be restricted from future development.

X. AFFIDAVIT.

Date JUNE 15 1978

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Richard Sannowski
(Applicant)

Sworn to before me this

15 day of JUNE, 1978.
Stephen L. Reineke

STEPHEN L. REINEKE
Notary Public, State of New York
Qualified in Putnam County
Commission Expires March 30, 1979

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
- (c) Special Permit is _____
- (c) Conditions and safeguards _____
- _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

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- _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
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Exhibit A

June 23, 1978

We the undersigned, being residents of Beaver Dam Lake, and being aware of the existence of other two family homes in the Beaver Dam Lake area, do not object to the requested variance of Richard Sarnowski for a two family residence on his Oak Drive home. We feel the variance would place no additional burdens on the community. Knowing the structure, we believe it is suited for a two family residence and would be an economic hardship as a single family dwelling.

Eugenia Pavch (Seaman)	Shore Dr, Beaver Dam
Gary Pavch	Shore Dr., Beaver Dam
Louise Pavch	Shore Dr. Beaver Dam
Steven Bignataro	Shore Dr. Beaver Dam
Lynne Bignataro	Shore Dr. Beaver Dam Lake
Joseph Laro	Shore Dr Beaver Dam Lake
Wmfred Mhosid	Shore Dr Beaver Dam Lake
Elizabeth Mangano	Shore Dr Beaver Dam Lake
Wm H. Mangano	" "
Virginia Lutz	Shore Dr. Beaver Dam Lake
Karen Anne Lutz	Shore Dr. Beaver Dam Lake
Heidi Brown	Sycamore Dr. Beaver Dam Lake
Alfred Lutz	Shore Dr Beaver Dam Lake
Arlene Pagano	Sycamore Dr. Beaver Dam Lake
John Pagano	Sycamore Dr Beaver Dam Lake
Robert Grove	Sycamore Dr. Beaver Dam Lake
Louise Grove	Sycamore Dr. Beaver Dam Lake
F. M. de Simone	Chestnut Ave. " " "
M. M. de Simone	Chestnut Ave. " " "
Gerry K. White	304 Shore Dr. Beaver Dam Lake
Wendy White	314 Shore Dr Beaver Dam Lake
John Quadaro	RD #4 / Hickory Ave Beaver Dam Lake
Louis J. Caserio	RD4 Box 250 Beaver Dam Lake
Doris Caserio	RD4 Box 250 Beaver Dam Lake

Fredrica Vella

Maple Ave. + Oak Dr
New Windsor N.Y.

Daniel W. Piffery - Tenant

RD 4 Box 296 Oak Dr.

New Windsor

Victor Signataro

RD 4 Beaver Dam Lake.

Newburgh N.Y.

Chad G Vella Rty News Bo 493

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550
(914) 565-8550

555 Union Avenue
New Windsor, N. Y.
June 27, 1978

Rider, Drake, Weiner & Loeb P. C.
P. O. Box 991
Newburgh, N. Y. 12550

Attn: Stephen L. Reineke, Esq.

RE: APPLICATION FOR USE VARIANCE - RICHARD SARNOWSKI
#78-15

Dear Steve:

This is to confirm that the above application for use variance #78-15 of RICHARD SARNOWSKI was denied at the June 26, 1978 meeting of the New Windsor Zoning Board of Appeals.

Please be advised that formal decision will be drafted by the Board Attorney, Andrew S. Krieger, Esq., and will be acted upon at an upcoming meeting of the ZBA.

Very truly yours,



PATRICIA RAZANSKY DELIO
Secretary

/pd

cc: Alvin Goldstein, Esq.
High Street
Chester, N. Y.

Ernest Spignardo, Chairman
New Windsor Planning Board

Howard Collett, Bldg./Zoning Inspector
Town of New Windsor



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
~~Elizabeth F. Wynn~~
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

50

June 13, 1978

Mr. Richard Sarnowski
RD#4 Oak Drive Box 296
New Windsor, N.Y. 12550

RE: 62-6-4

Dear Mr. Sarnowski:

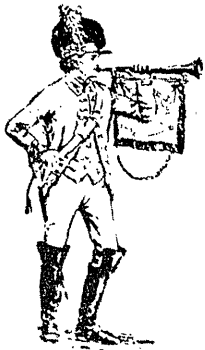
According to my records, the attached list of property owners are within the five hundred (500) feet of the above mentioned property.

The charge for this service is \$25.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

PAULA KING
Acting Assessor
Town of New Windsor

pk
att.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
~~XXXXXXXXXXXX~~
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

X Fravola, Anthony & Mary
RD#4 Oak Drive
New Windsor, N.Y. 12550

X Salomone, Iona L.
RD#4 Maple Avenue
New Windsor, N.Y. 12550

X Gavigan, Willis R.
RD#4 Shore Drive
New Windsor, N.Y. 12550

X Kuriplach, Andrew R. & Elizabeth
RD#4 Oak Drive
New Windsor, N.Y. 12550

X Vella, Charles G. & Frederica
1036 Roberta Street
Venice, Fla. 33595

X Hollingsworth, Charles & Phyllis
RD#4 Oak Drive
New Windsor, N.Y. 12550

X Holloway, Augustus & Marguerite
116 Pinehurst Avenue
N.Y. N.Y. 10033

Returned
X Rinaldi, Matthew A.
Box 294 RD#4
New Windsor, N.Y. 12550

X Di Matteo, Salvatore & Lucy
RD34 Maple Avenue
New Windsor, N.Y. 12550

X Hunter, Wilmot & Marea
Box 474 RD#4 Maple Avenue
New Windsor, N.Y. 12550

X X Bellini, Natale A. & Sullivan, Edw.
Box 488 RD#4 Linden Ave. Beaver Dam
New Windsor, N.Y. 12550

X Schirmer, Frank & Elise M.
Box 318 RD#4 Shore Drive
New Windsor, N.Y. 12550

X X Beaver Dam Water Corp.
C/O Frank Schirmer
RD#4 Shore Drive Box 318
New Windsor, N.Y. 12550

X Law, Walter B. & Deborah
RD#4 Box 183A
New Windsor, N.Y. 12550

X Wieber, Geo. W. & Victoria L.
RD#4 Maple Avenue
New Windsor, N.Y. 12550

X Burke, Richard P.
52-71 66th Street
Maspeth, N.Y. 11378

X Losio, Joseph, Rudolph L., John,
George
Box 476 RD#4 Maple Avenue
New Windsor, N.Y. 12550

X Vanderessen, Ian V. & Adeline
315 Shore Drive RD#4
New Windsor, N.Y. 12550

X Casey, Bernard T. & Anna
RD#4 Maple Avenue
New Windsor, N.Y. 12550

X Keller, Wallace F. & Isabel F.
671 E. 9620 St.
Sandy, Utah 84070

X Corcoran, John K. & Linda P.
RD#4 Maple Avenue
New Windsor, N.Y. 12550

X Cardinal, Thomas K. & Andrea
Box 300 RD#4 Oak Drive
New Windsor, N.Y. 12550



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
~~Elmer E. Wood~~
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1763

X Moran, John J. Jr. & Patricia A.
301 Oak Drive RD#4
New Windsor, N.Y. 12550

X Campbell, Irene
56-D Edinburgh Lane
Lakehurst, N.J. 08733

X Macari, Rober & Gabrielle
RD#4 Oak Drive
New Windsor, N.Y. 12550

X Widmayer, William G. & Adele A.
Box 323 RD#4 Shore Drive
New Windsor, N.Y. 12550

XX Bombardi, Joseph & Columbia C.
3409 Bell Blvd.
Bayside, N.Y. 11361

X Losio, Joseph & Winifred
Box 153 RD#4 Shore Drive
New Windsor, N.Y. 12550

X Masterson, John A. & Helen M.
Box 311 Shore Drive RD#4
New Windsor, N.Y. 12550

X Pignataro, Steven & Lynne Barbara
RD#4 Shore Drive
New Windsor, N.Y. 12550

X Palmer, Melville L. Jr. & Doris
RD#4 Shore Drive
New Windsor, N.Y. 12550

X Horton, E.; Zuccaro, R.; Hanna, R.;
Proietto, M.
C/O Richard Hanna
97 Honeysuckle Drive
Westwood N.J. 07675

X White, Jerry K. & Wanda W.
Box 314 RD#4 Shore Drive
New Windsor, N.Y. 12550

X Birnkrant, Harold
21 East 16th Street
Brooklyn, N.Y.

X Siegel, Bertha
1420 Noble Avenue
Brox, N.Y. 10472

X Buyl, Ethel
Box 337 RD#4 Shore Drive
New Windsor, N.Y. 12550

X Janatsch, Edw. W. & Margaret
2 Sunnyside Drive
Yonkers, N.Y. 10705

X McCartney, Edw. P. & Ann Marie E.
2 Dover Place
Hempstead, N.Y. 11550

X Spooner, William
RD#4 Maple Avenue
New Windsor, N.Y. 12550

X Manning, Patrick
RD#4 Shore Drive
New Windsor, N.Y. 12550

X Schimenti, Michael & Dorothy
1227 Barry Drive South
Valley Stream N.Y. 11580

X Doce, Vincent J.
New Road Daran Park
Newburgh, N.Y. 12550

XX Aceto, Josephine
RD#4 Shore Drive
New Windsor, N.Y. 12550

X Rossini, Lawrence D. & Kathleen A.
RD#4 Hickory Avenue
New Windsor, N.Y. 12550



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman

~~Ellsworth F. Wexant~~
~~555 Union Avenue~~

New Windsor, New York 12550
(914) 565-8808

1763

X Rossini, Ralph A. & Yolanda F.
RD#4 Hickory Ave. Box 268D
New Windsor, N.Y. 12550

X Rinaldi, Theresa
45 Avenue O
Brooklyn, N.Y.

X Nestved, Gary A. & Mary
RD#4 Willow Avenue
New Windsor, N.Y. 12550

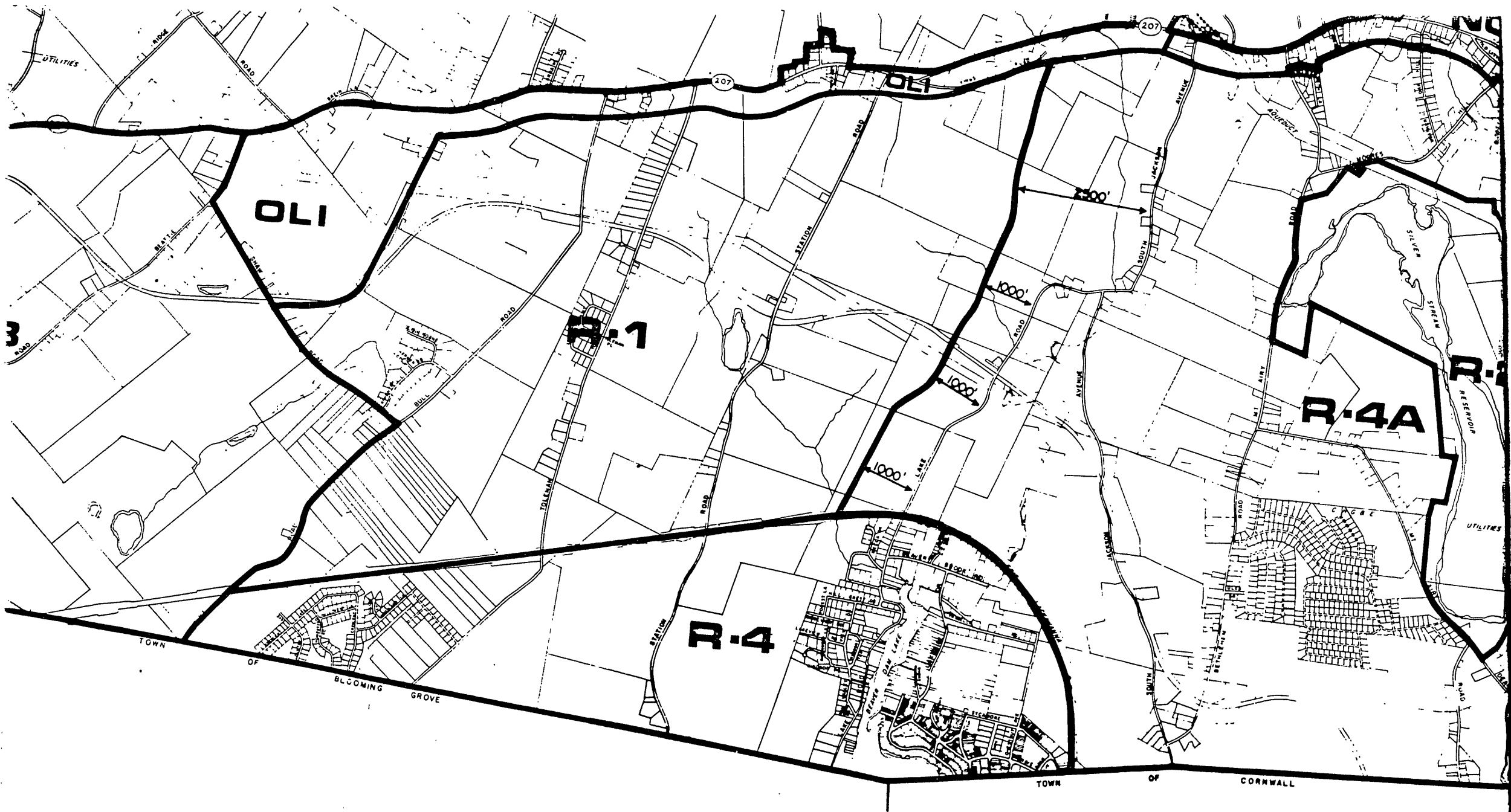
Laux, Frederick T. & Florence J.
RD#4 Willow Avenue
New Windsor, N.Y. 12550

X Vitale, Frank & Teresa
79-20 68th Avenue
Middle Village, N.Y. 11379

X Tesoriere, Charles & daryl
RD#4 Willow Avenue
New Windsor, N.Y. 12550

Very truly yours,

PAULA KING
Acting Assessor
Town of New Windsor



Tax Deed

This Indenture, made this sixteenth day of May, in the year one thousand nine hundred and seventy-seven

Between Raymond C. Schwarz as Commissioner of Finance of the County of Orange, State of New York, the office of which Commissioner of Finance is located at No. 255-275 Main Street, Goshen, New York, party of the first part, and Richard Sarnowski residing at (no number) Oak Drive, R.D. No. 4, Box 296, New Windsor, New York 12550 party of the second part.

Witnesseth that whereas, by and under the provisions of the Tax Law of the State of New York, the Commissioner of Finance of the County of Orange is authorized and required to advertise and sell real estate upon which the taxes, with interest at the rate of ten per cent per annum from the first day of February after the same are levied, shall remain unpaid for one year from that date, and

Whereas, default was so made in the payment of such taxes on sundry parcels of land within Orange County, and the said Commissioner of Finance of the said County of Orange did cause a list of said lands charged with such taxes, with the notice required by Section 1014 of the Real Property Tax Law, to be published as required by said section, and

Whereas, pursuant to said notice and law, the Commissioner of Finance of Orange County, for the time being did, on the twenty-second day of March, in the year one thousand nine hundred and seventy-six sell at public auction so much of said parcels of land as was sufficient to pay the taxes, interest and charges thereon, and

Whereas, the said party of the second part became entitled, by purchase at said tax sale for 1975 taxes, to the title of the hereinafter described premises, and

Whereas, the said piece or parcel of land has not been redeemed within the time prescribed by law for the redemption thereof; and due notice of redemption having been duly published as required by law;

Now, Therefore, in consideration of the premises, and the sum of Fifty-nine and 56/100 dollars paid into the Treasury of this County by the said party of the second part, the receipt whereof is hereby acknowledged, the said party of the first part hath granted, released and conveyed and doth hereby grant, release and convey to the said party of the second part, his heirs and assigns forever, all that lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, and State of New York, described as follows, viz:

Bedard, Bruce R. & Marie Parcel No. 1776 - 1976 Tax Sale

Section 62 Block 6 Lot 1 on County Tax Map 150 & 120 (210)

This Indenture, made this sixteenth day of May, in the year one thousand nine hundred and seventy-seven

Between Raymond C. Schwarz as Commissioner of Finance of the County of Orange, State of New York, the office of which Commissioner of Finance is located at No. 255-275 Main Street, Goshen, New York, party of the first part, and Richard Sarnowski residing at (no number) Oak Drive, R.D. No. 4, Box 296, New Windsor, New York 12550 party of the second part.

Witnesseth that whereas, by and under the provisions of the Tax Law of the State of New York, the Commissioner of Finance of the County of Orange is authorized and required to advertise and sell real estate upon which the taxes, with interest at the rate of ten per cent per annum from the first day of February after the same are levied, shall remain unpaid for one year from that date, and

Whereas, default was so made in the payment of such taxes on sundry parcels of land within Orange County, and the said Commissioner of Finance of the said County of Orange did cause a list of said lands charged with such taxes, with the notice required by Section 1014 of the Real Property Tax Law, to be published as required by said section, and

Whereas, pursuant to said notice and law, the Commissioner of Finance of Orange County, for the time being did, on the twenty-second day of March, in the year one thousand nine hundred and seventy-six sell at public auction so much of said parcels of land as was sufficient to pay the taxes, interest and charges thereon, and

Whereas, the said party of the second part became entitled, by purchase at said tax sale for 1975 taxes, to the title of the hereinafter described premises, and

Whereas, the said piece or parcel of land has not been redeemed within the time prescribed by law for the redemption thereof; and due notice of redemption having been duly published as required by law;

Now, Therefore, in consideration of the premises, and the sum of Fifty-nine and 56/100 dollars paid into the Treasury of this County by the said party of the second part, the receipt whereof is hereby acknowledged, the said party of the first part hath granted, released and conveyed and doth hereby grant, release and convey to the said party of the second part, his heirs and assigns forever, all that lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, and State of New York, described as follows, viz:

Bedard, Bruce R. & Marie Parcel No. 1776 - 1976 Tax Sale
Section 62 Block 6 Lot 1 on County Tax Map. 150 x 130 (310)

including the right, title and interest of Bruce R. and Marie Bedard

.....
in said premises, being the owner thereof so far as appears on the record, together with the hereditaments and appurtenances thereunto belonging, said lot, piece or parcel of land to be located and laid out, however, by and at the expense of the party of the second part.

To have and to hold the same to the said party of the second part, ~~his~~ heirs and assigns forever, subject, however, to all claims which the said County or State may have thereon for taxes or liens or incumbrances. This sale will be set aside if found to be contrary to the provisions of the Federal Soldiers' and Sailors' Civil Relief Act, as amended, or Article 13 of the Military Law of the State of New York.

In Witness Whereof, the party of the first part has
subscribed his name, as such Commissioner of
Finance, and affixed his official seal at Goshen,
New York, the day and year first above written.

Raymond C. Schwarz
As Commissioner of Finance of Orange County.

In presence of

Joan B. Maxwell
9 1/2 Montgomery Street
Middletown, New York 10940 -

STATE OF NEW YORK, }
COUNTY OF ORANGE, } ss.:

On the 16th day of May one thousand nine hundred seventy-seven
before me personally came Raymond C. Schwarz Commissioner of Finance of Orange
County, to me known and known to me to be the individual described in, and who executed the
foregoing conveyance, and duly acknowledged to me that he executed the same as such Commissioner
of Finance for the purposes therein expressed.

Margaret E. Fairchild
.....
Notary Public, Orange County.

MARGARET E. FAIRCHILD
Notary Public - State of New York
Residing in Orange County
Commission Expires March 30, 1978

ments and appurtenances thereunto belonging, said lot, piece or parcel of land to be located and laid out, however, by and at the expense of the party of the second part.

To have and to hold the same to the said party of the second part, ~~his~~ heirs and assigns forever, subject, however, to all claims which the said County or State may have thereon for taxes or liens or incumbrances. This sale will be set aside if found to be contrary to the provisions of the Federal Soldiers' and Sailors' Civil Relief Act, as amended, or Article 13 of the Military Law of the State of New York.

In Witness Whereof, the party of the first part has subscribed his name, as such Commissioner of Finance, and affixed his official seal at Goshen, New York, the day and year first above written.

Raymond C. Schwarz
As Commissioner of Finance of Orange County.

In presence of

Joan B. Maxwell
9 1/2 Montgomery Street
Middletown, New York 10940 -

STATE OF NEW YORK, }
COUNTY OF ORANGE, } ss.:

On the16th..... day ofMay..... one thousand nine hundred ~~seventy-seven~~
before me personally cameRaymond C. Schwarz..... Commissioner of Finance of Orange
County, to me known and known to me to be the individual described in, and who executed the
foregoing conveyance, and duly acknowledged to me that he executed the same as such Commissioner
of Finance for the purposes therein expressed.

Margaret E. Fairchild
Notary Public, Orange County.

MARGARET E. FAIRCHILD
Notary Public - State of New York
Residing in Orange County
Commission Expires March 30, 1928

16,441
gh

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

In the Matter of the Application of
RICHARD SARNOWSKI, for a Use Variance.

SUPPLEMENTAL
INFORMATION

#78-15

The following properties in the Beaver Dam Lake Community are carried
on the tax rolls of the Town of New Windsor as two-family homes:

<u>Record Owner</u>	<u>Tax Lot Description</u>
Salomone	62-5 Lots 17, 18 and 19
Capuccio	63-8-20 and 21
Flannigan	59-5-13.3
Maida	58-1-8
Lees	58-1-9
Gou	58-1-10
Reagan	58-1-11
Lees	58-1-12
McCormack	58-1-16.1
Kiek	58-1-16.3

The tax rolls also reflect the following three-family homes:

<u>Record Owner</u>	<u>Tax Lot Description</u>
White	62-9 Lots 38 and 39

Upon belief, the following properties are also two-family homes
although not shown as such on the tax rolls of the Town:

<u>Record Owner</u>	<u>Tax Lot Description</u>
Agueli	62-3-1

Record Owner

Tax Lot Description

Fasano

62-9-24

Ryan

58-4-5.1

Tribuzio

57-1-53 to 61

Also in the Beaver Dam Community but lying in the Town of Cornwall there are five (5) dwellings carried as two-family homes on the tax rolls.

Dated: June 26, 1978

16,441
gh

COUNTY OF ORANGE)
 : ss.:
STATE OF NEW YORK)

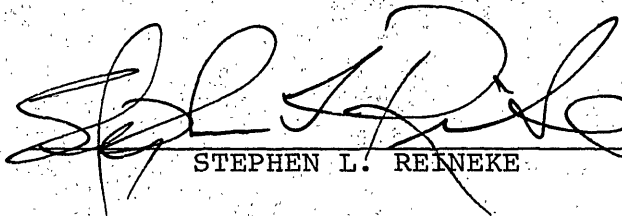
STEPHEN L. REINEKE, being duly sworn, deposes and says:

1. He is a member of the firm of Rider, Drake, Weiner & Loeb, P.C., attorneys for the applicant, Richard Sarnowski.

2. On the 16th day of June, 1978, he had mailed from his offices a copy of the Notice of Public Hearing to the 50 property owners shown on a list provided by the Assessor of the Town of New Windsor.

3. All of the mailings were sent certified mail, return receipt requested.

4. In addition to the mailing of the notices as aforesaid, he personally delivered a copy of the application for the variance to the Orange County Department of Planning in Goshen, New York.



STEPHEN L. REINEKE

Sworn to before me
this 26th day of June 1978.



GERALDINE M. MANDIA
Notary Public, State of New York
Residing in Orange County
Commission Expires March 30, 1979

496-7419

Coffey
Samuel
1:45 PM

26A 3/21/77
Revised

Building Department

(CITY, TOWN OR VILLAGE) OF NEW WINDSOR

(Address and Telephone Number)

565-8807

County of: ORANGE

Order to Remedy Violation

Location OAK STREET

Map No.: _____ Section: 62 Block: 6 Lot: 4

Date MARCH 28 1978

TO R. SARNOWSKI

(owner or authorized agent of owner)

(address of owner or authorized agent of owner)

PLEASE TAKE NOTICE there exists a violation of:

The State Building Construction Code

Zoning Ordinances

Other Applicable Laws, Ordinances or Regulations

☒

at premises hereinafter described in that TWO FAMILIES LIVING

(state character of violation)

IN A ONE FAMILY DWELLING - R4 DISTRICT RESTRICTED
TO ONE FAMILY

in violation of ARTICLE III 48-9 ZONING ORDINANCE

(state section or paragraph of applicable law, ordinance or regulation)

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to
remedy the conditions above mentioned forthwith on or before the 7th day of
APRIL 1978

Failure to remedy the conditions aforesaid and to comply with the applicable provisions of law may constitute an offense punishable by fine or imprisonment or both.

Howard R. Covert
Superintendent of Buildings

APR 20 1978

RIDER, WEINER & LOEB, P. C.
ATTORNEYS AND COUNSELLORS AT LAW

Action
needed

M. J. RIDER (1906-1968)
ELLIOTT M. WEINER
JAMES R. LOEB
DAVID L. RIDER
DAVID L. LEVINSON
STEPHEN L. REINEKE

POST OFFICE BOX 1268
427 LITTLE BRITAIN ROAD
NEWBURGH, NEW YORK 12550
(914) 562-8700

April 19, 1978

78-15

New Windsor Zoning Board of Appeals
555 Union Avenue
New Windsor, New York 12550

Att: Patricia Razansky, Secretary

Re: Our File: 16, 441

Dear Pat:

I am writing to you on behalf of Richard Sarnowski of Beaver Dam Lake, Town of New Windsor. Mr. Sarnowski appeared before the Zoning Board of Appeals in 1977 and requested a use variance which was denied. He has retained us and after talking to him, I think there is sufficient new evidence to sustain a new application and since more than six months has elapsed since the old one, there should not be any legal difficulties in presenting it.

I would appreciate it if you would send me copies of the required forms so that I may proceed with the application for the variance.

Thank you for your courtesies.

Very truly yours,

RIDER, WEINER & LOEB, P. C.

By:

JRL/cs

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York will hold a Public Hearing
pursuant to Section 48-33A of the Zoning Ordinance on the
following proposition:

Appeal No. 15

Request of RICHARD SARNOWSKI

for a VARIANCE ~~SPECIAL USE PERMIT~~ of
the regulations of the Zoning Ordinance, to permit
two-family use in a residential (R-4) district

being a VARIANCE ~~SPECIAL USE PERMIT~~ of
Section 48-9 - Table of Use Regulations - Col. A
for property situated as follows:

Oak Drive, R. D. 4, Beaver Dam Lake, Town of New
Windsor, New York.

SAID HEARING will take place on the 26th day of June, 1978,
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning at 8 o'clock P. M.

MARK STORTECKY
Chairman

RIDER, WEINER & LOEB, P. C.
ATTORNEYS AND COUNSELLORS AT LAW

M. J. RIDER (1906-1968)
ELLIOTT M. WEINER
JAMES R. LOEB
DAVID L. RIDER
DAVID L. LEVINSON
STEPHEN L. REINEKE

POST OFFICE BOX 1268
427 LITTLE BRITAIN ROAD
NEWBURGH, NEW YORK 12550
(914) 562-8700

March 28, 1978

Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Att: Howard Collett, Building Inspector

Re: Order to Remedy Violation
issued to R. Sarnowski
3/28/78
Our File 16,441 *u/s*

Dear Mr. Collett:

Jim Loeb of our office represents Mr. Sarnowski who received the above captioned order to remedy issued by your office. At the present time Jim is on vacation and is due to return in the early part of April. I have reviewed the matter with Mr. Sarnowski and our back file on the property, and based upon additional property being acquired by Mr. Sarnowski, an application is soon to be made to the Zoning Board of Appeals for a variance that would correct the violation covered in your notice.

Accordingly, I would respectfully ask that action on the violation be temporarily held in abeyance pending Jim's return and his first opportunity to schedule a hearing with the Zoning Board for the necessary variance.

Unless I hear otherwise, I shall anticipate that this request will be granted, and we shall, of course, advise you as soon as we have been able to schedule the necessary hearing.

Thank you for your cooperation.

Very truly yours,

RIDER, WEINER & LOEB, P.C.

BY: 

SLR:dha

2011-06-01
c.c. Mr. Richard Sarnowski
Oak Drive, R. D. #4
Box 296
New Windsor, New York 12550

1

RIDER, WEINER & LOEB, P. C.
ATTORNEYS AND COUNSELLORS AT LAW

M. J. RIDER (1908-1988)
ELLIOTT M. WEINER
JAMES R. LOEB
DAVID L. RIDER
DAVID L. LEVINSON
STEPHEN L. REINEKE

POST OFFICE BOX 1268
427 LITTLE BRITAIN ROAD
NEWBURGH, NEW YORK 12550
(914) 562-8700

April 19, 1978

Mr. Howard Collett
Building Inspector
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Re: Our File: 16,441

Dear Howard:

I am writing to you in connection with the notice of violation you served on Richard Sarnowski. Please be advised that our office will be representing him in this matter and that we are immediately preparing to file an application for a use variance before the Town of New Windsor, Zoning Board of Appeals.

I understand that Mr. Sarnowski had previously attempted to secure such a variance without success. Our new application will be made based on new evidence to be presented to the Board and I expect to move ahead as rapidly as possible.

Very truly yours,

RIDER, WEINER & LOEB, P. C.

By: 

JRL/cs

CALLER 9:30 4/15
SARNOWSKI TO SIGN PAPERS 4/18